

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

DEBORAH PERRY,

Plaintiff,

v.

**RICHLAND COUNTY SCHOOL DISTRICT ONE;
DR. SANDRA CALLIHAM AND MACK OUZTS
IN THEIR INDIVIDUAL CAPACITIES,**

Defendants.

C/A No. 3:03-4042-CMC-JRM

ORDER

Plaintiff filed this employment action against her former employer, Defendant Richland County School District One, claiming she was terminated from her job based on her race in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e *et seq.* She also asserts a claim under 42 U.S.C. § 1983 against Defendant Calliham for racial discrimination and a claim for civil conspiracy under South Carolina law against Defendants Calliham and Ouzts in their individual capacities. Defendants filed a motion for summary judgment and Plaintiff filed a memorandum in opposition to the motion. In accordance with this court's order of reference and 28 U.S.C. § 636(b), this matter was referred to United States Magistrate Judge Joseph R. McCrorey for a Report and Recommendation. The May 6, 2005 Report of Magistrate Judge McCrorey is currently before the court.

This court is charged with making a *de novo* determination of any portion of the Report and Recommendation of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b).

Based on his review of the record, the Magistrate Judge has recommended that Defendants' motion for summary judgment be granted. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and Recommendation. No objections have been filed and the time for doing so has expired.

After reviewing the Complaint, the motion, the memorandum in opposition and the Report and Recommendation of the Magistrate Judge, the court agrees with the recommendation of the Magistrate Judge. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference.

IT IS HEREBY ORDERED that Defendants' motion for summary judgment is **GRANTED** and this action is *dismissed with prejudice*.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
June 2, 2005